

GUIDELINES FOR INTELLIGENCE ACTION

1. Intelligence products

a. General: This Administration views accurate and objective intelligence products as essential to the conduct of foreign affairs and national security affairs. Such intelligence can be assured provided disparate views are well aired, and philosophizing not substituted for analysis.

b. National Intelligence Estimates.

A sharply limited number of intelligence estimates pertinent to decision-making at National Security Level shall be prepared and maintained. These estimates will contain the fully propounded views of the DCI, the Director DIA, and the Director INR (State Dept.), which officers shall ensure that changes of their views or available data shall be reflected as they occur rather than in annual revisions. The distribution of such estimates shall be sharply reduced to a strict need-to-know list.

c. Current Intelligence: The three production agencies of the Intelligence community will analyze and report current intelligence as it develops and forward reports expeditiously to consumers directly concerned with the subject matter only. The practice of producing all source, all subject matter classified "newspapers" will cease. Collection elements will not provide raw materials directly to intelligence consumers. All current intelligence reports will be forwarded to DCI, DDIA, DINR, and DNSA at the same time they are forwarded to cabinet members, or to NSC.

2. Counterintelligence

a. General: The head of each entity of the intelligence community shall establish, subject to the approval of the Director of Central Intelligence and the Attorney General, guidelines to govern the employment of certain techniques for collecting intelligence about U.S. citizens and permanent resident aliens, and to govern the dissemination of intelligence information about U.S. citizens and permanent resident aliens.

These guidelines shall be the official policy of the entity which promulgates them. The head of each entity shall record every significant instance in which a significant authorized or unauthorized deviation from these guidelines occurred. Such records shall be made available to the President's foreign Intelligence Advisory Board and to the Intelligence Committees of the Congress.

The purpose of these guidelines shall be to match the acquisition and dissemination of information regarding U.S. citizens and resident aliens with the need of the various entities of the intelligence community to obtain information relating to the security and foreign policy of the United States, and information regarding activities of hostile intelligence services, international terrorist groups, and large scale international criminal organizations.

b. Collection

Guidelines shall govern the employment of the following techniques:

1. Those techniques which may require a judicial warrant if used to collect information for a law enforcement purpose.
2. Informants and undercover agents.
3. Other covert or clandestine techniques, including techniques in which the person from whom the information is being obtained is unaware that he or she is providing information to an entity of the intelligence community.
4. Examination of financial or other Third Party records.
5. Public information sources, including interviews in which the interviewer acknowledges his or her own connection with an entity of the intelligence community.

Any entity of the intelligence community shall employ these techniques to gather information about any citizen or permanent resident of the United States while such person is in the United States, only after the head of the entity or his designee has certified in writing that necessary information cannot be obtained by any other means or cannot be obtained by any other means without excessive expenditure of resources. Such certifications shall be available to the Attorney General and to the Intelligence Committee of the Congress.

c. Dissemination

Intelligence or counterintelligence identifying citizens or permanent residents of the United States shall be disseminated within the intelligence community only in the following circumstances.

1. When the information reasonably related to the citizens or permanent resident's engagement in or assistance to--
 - a. clandestine intelligence activity on behalf of a foreign power,
 - b. any other clandestine activity on behalf of a foreign power or organization,
 - c. international terrorists activity or preparations thereafter.
2. When the information is required to assess the meaning of any intelligence,
3. When the information is necessary to any entity of the intelligence community in order to assess the suitability of any person as a potential source of intelligence or operational assistance,
4. When the information would be useful to law enforcement officials

to prevent or to prosecute any felony, the information may be disseminated to such officials.

Any entity of the intelligence community is authorized to disseminate any intelligence or counterintelligence information about any citizen or permanent resident of the United States to the Counterintelligence Office of the Department of Justice.

Whenever any entity of the intelligence community disseminates any information about any citizen or permanent resident of the United States to any other entity or to any law enforcement agency, such entity shall make a record of such dissemination. Such record shall include a statement of the reasons for such dissemination.

3. Security:

a. General: The business of intelligence is of necessity secret. Certain categories of intelligence, in particular those affecting decision-making on politically sensitive issues are all too often leaked to the press. Such categories of intelligence must be identified and access to such intelligence must be restricted to officials willing to submit to polygraph examination in the event of security breaches.

b. Public Affairs. The intelligence agencies shall be represented in public affairs by the concerned cabinet officer or the White House. Direct contact with intelligence agencies shall be dealt with accordingly.

c. Freedom of Information: This Administration will seek Congressional amendment of the FOI Act to strengthen security. Meanwhile the emphasis on responses to FOI requests shall be upon the prevention of public access to information damaging to intelligence efforts.